

Received & Inspected

MAY 14 2013

FCC Mail Room

Mr. Leroy A. McKenzie, #300416
Lieber Cor. Inst./C-A8
P.O. Box 205
136 Wilborn St.
Ridgeville, SC 29472

May 8, 2013

Chairman Julius Genachowski
Federal Communications Commission
Complaint and Public Comments
445 12th Street, SW
Washington, DC 20554

Re: Leroy Alvin McKenzie (and Inmates (I/M) similarly situated) v.
South Carolina Department of Corrections (SCDC) and Global Tel* Link (GTL)
Prisoner Telephone Service Provider - (GTL Response to SC Office of
Regulatory Staff File No. 13-C-794) "REPLY" & "OBJECTIONS"

Dear Mr. Chairman,

Please find enclosed a true copy of my REPLY AND OBJECTIONS in regard
to the above captioned response by GT*L telephone service provider to the
State of South Carolina Office of Regulatory Staff dated April 25, 2013,
and received by me, through SCDC, on May 7, 2013.

Thank you for your attention and investigation in this matter.

Kindest regards,



Leroy A. McKenzie, #300416
Complainant

Dorchester, South Carolina
May 8th, 2013

cc: FCC Public Comment for Wright Petition (cc: Docket #96-128)

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Lieber Cor. Inst./C-A8
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FCC Mail Room

Stacy Faulkenberry, Investigator
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201

Re: (ORS File No. 13-C-794)
Leroy Alvin McKenzie (and Inmates (I/M) similarly situated) v.
South Carolina Department of Corrections (SCDC) and Global Tel* Link (GTL)
Prisoner Telephone Service Provider - ["REPLY" to GT*L letter 04/25/13]

Dear Ms. Faulkenberry,

1. I Leroy A. McKenzie, the undersigned complainant, hereby bring to the attention of State and Federal regulatory agencies SC Office of Regulatory Staff (ORS) and Federal Communications Commission (FCC), that on May 7, 2013, I was forwarded a copy of Global Tel* Link (GTL) letter dated April 25, 2013 addressed to the ORS. This copy of GT*L's letter had been forwarded to me by the South Carolina Department of Corrections (SCDC) and this instant letter is my objection and reply to GT*L's formal response in this instance.
2. GT*L had not specifically responded to or addressed the material issues raised by my complaint regarding violations of FCC and FTCA regulations. I aver that GT*L had been less than honest in their response and their communication in this instance before the ORS is vague and full of fraudulent accusations. (a) What is a "velocity threshold" and how do a person reach the limits of the threshold within the meaning of definitions of a term set forth under clearly established guidelines of State or Federal regulations, standards for competitive and incumbent Local Exchange Carriers (LEC)? (b) What is the reliable source GT*L make reference to under SC regulatory scheme or Federal regulatory scheme that take cognizance of the alleged practice as standard in the industry? (GT*L letter - 04/25/13, 2nd para.)
3. GT*L also alleges, "Mr. McKenzie make high amount . . . calls within various intervals. . .". GT*L had not proffered evidence to ORS to support that this is a factually true statement by way of reliable indicia so support their claim. The fact is, that I only call my parents number on a few occasions each month, may be once or twice a month and their telephone billing for collect calls to their number will reflect the same. Any calls during the time frame called into question by GT*L or the ORS during the month when GT*L initiated the change from incumbent LEC service to GT*L service can be disclosed by the billing records of the incumbent LEC service and will rebuke GT*L's false claims before this agency.
4. The GT*L's ". . .rolling 30 day limit or until it resets", is ambiguous, and had not reset in a full eight (8) months in this case which is undisputed and these type sanctions and restrictions are undisclosed to SCDC Inmates.


5. The SC ORS's investigation of GT*L and decision in the course of the investigation must be base on facts and supported by proffer of evidence to prove unsupported allegations of GT*L in their investigation of GT*L. Furthermore, GT*L's letter is self serving and evades the issues set forth in my complaint and does not directly rebuke my claims.

6. I hereto, call into question, when and who spoke to my father regarding this matter before the ORS and request GT*L to provide records of names, times and dates of any communications with my father in this instance.

7. If GT*L fail to offer proof to validate and support all claims and statements before the ORS, they should be further investigated and required to answer the allegations in my complaint before this agency and held accountable for the fraudulent communication with a regulatory agency.

Thank you for your time and fair efforts in consideration of my reply.

Kindest regards,


Leroy A. McKenzie, #300416
Complainant

ATTACHMENT

GT*L Letter - 04/25/13

Dorchester, South Carolina
May 8th, 2013

cc: GT*L
cc: FCC



Global Tel*Link Corporation

April 25, 2013

State of South Carolina
Office of Regulatory Staff
1401 Main Street Suite 900
Columbia, SC 29201

Executive Offices
12021 Sunset Hills Road
Suite 100
Reston, VA 20190
Ph: 703.955.3910
Fax: 703.435.0980

Corporate Headquarters
107 St Francis St
32nd Floor
Mobile, AL 36602
Ph: 251.338.8859
Fax: 251.434.8695

Re: Leroy McKenzie – inmate ID # 300416

This letter serves as a formal response to the complaint listed above.

The customer contacted The SC Office of Regulatory Staff because for the last ten years he has been able to make collect calls to 803 7751959. Recently he is unable to make calls to this number.

We investigated this issue and determined that the velocity threshold for this phone number had been exceeded. When this happens we ask the customer to set up a prepaid account if they would like to continue to receive calls during the rolling 30 days or until it resets.

The velocity thresholds are not set forth by her Local Exchange carrier but by where the call originates from – GTL's phone platform at the facility. Customers like Mr. McKenzie that make a high amount of calls within various intervals could be subjected to opening a prepaid account that needs to be funded through various channels (e.g. check, money order, credit cards). This practice is standard in the industry and there are hundreds of thousands of customers utilizing this service every month.

We contacted Mr. McKenzie's father who is the owner of this account and explained to him why he was asked to set up a prepaid account. As a onetime courtesy we have converted this account back to LEC billed with a \$50/30 day limit. If the account exceeds the threshold again he will have to set up a prepaid account.

GTL anticipates that this will close this complaint and should you have any additional questions please feel free to contact me directly.

Sincerely yours,

Kathi Tarkir
Complaint Analyst
ktarkir@gtl.net

INTEGRITY

INNOVATION

RESPONSIVENESS

ACCOUNTABILITY

Attch

**SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
OFFICE OF GENERAL COUNSEL
RESPONSE TO INMATE CORRESPONDENCE**

TO: Inmate Inmate McKenzie
SCDC #: 300416
INSTITUTION: Lieber CI
FROM: Dayne Haile
DATE: May 1, 2013
RE: Your Correspondence Dated 4/16/13

Attached you will find a response to your concerns from GTL. This matter should be responded to by the Office of Regulator's. Inmate calling is a privilege and not a right as established by the courts.

S/ Dayne Haile
Dayne Haile

cc: Warden
Inmate Records

